

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 06-149 (1) (RHK/RLE)

Plaintiff,

ORDER

v.

Gary Franklin Albin,

Defendant.

Based on the Defendant's Motion for a presentence psychological evaluation under 18 U.S.C. § 3552(c), **IT IS ORDERED:**

1. Defendant's Motion (Doc. No. 33) for a presentence psychological evaluation under 18 U.S.C. § 3552(c) is **GRANTED**;
2. Defendant is committed to the custody of the Attorney General for placement in a suitable facility for a reasonable period, not to exceed 30 days, for the conducting of a presentence psychiatric or psychological examination. The evaluation shall be conducted as soon as practicable within this time period. The director of the facility may apply for a reasonable extension, not to exceed 15 days, upon a showing of good cause that the additional time is necessary to observe and evaluate the Defendant;
3. The examination shall be conducted in the suitable facility closest to the Court, unless impracticable;

4. A written report detailing the examination shall be submitted to the Court and counsel for both parties no later than 15 days after the date on which the examination is completed; and

5. The psychiatric or psychological examination conducted and the report generated pursuant to this Order shall address:

- (1) the Defendant's history and present symptoms;
- (2) a description of the psychiatric, psychological, and medical tests that were employed and their results;
- (3) the examiner's findings; and
- (4) the examiner's opinions as to diagnosis, prognosis, and any recommendation the examiner may have as to how the mental condition of the Defendant should affect the sentencing.

Dated: December 11, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge